Australian Capital Territory

Work Health and Safety (Penalty Amounts) Notice 2024 (No 1)

**Notifiable instrument NI2024–387**

made under the

*Work Health and Safety Act 2011*, Schedule 4, s 4.6 (Notification of adjusted maximum penalty amounts)

**1 Name of instrument**

This instrument is the *Work Health and Safety (Penalty Amounts) Notice 2024 (No 1).*

**2 Commencement**

This instrument commences on the commencement of the *Workplace Legislation Amendment Act 2024* s 26.

**3 Indexation of penalty amounts – categories 1 to 3**

(1) The monetary penalty amount payable by an individual as a person conducting a business or undertaking or as an officer of a person conducting a business or undertaking for a monetary penalty category stated in table 1, column 2 of the schedule is the amount stated in column 3 of table 1 for that matter.

(2) The monetary penalty amount payable by an individual for a monetary penalty category stated in table 1, column 2 of the schedule is the amount stated in column 4 of table 1 for that matter.

(3) The monetary penalty amount payable by a body corporate for a monetary penalty category stated in table 1, column 2 of the schedule is the amount stated in column 5 of table 1 for that matter.

**4 Indexation of penalty amounts – tiers A to I**

(1) The monetary penalty amount payable by an individual for a monetary penalty tier stated in table 2, column 2 of the schedule is the amount stated in column 3 of table 2 for that matter.

(2) The monetary penalty amount payable by a body corporate for a monetary penalty tier stated in table 2, column 2 of the schedule is the amount stated in column 4 of table 2 for that matter.

**5 Indexation of penalty amounts – WHS civil penalty tiers 1 to 4**

(1) The monetary penalty amount payable by an individual for a monetary penalty WHS civil penalty tier stated in table 3, column 2 of the schedule is the amount stated in column 3 of table 3 for that matter.

(2) The monetary penalty amount payable by a body corporate for a monetary penalty WHS civil penalty tier stated in table 3, column 2 of the schedule is the amount stated in column 4 of table 3 for that matter.

Jacqueline Agius

Work Health and Safety Commissioner

9 July 2024

**Schedule 1**

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| Table 1 Monetary penalties—categories 1 to 3 |
| **column 1** | **column 2** | **column 3** | **column 4** | **column 5** |
| **item** | **monetary penalty  category** | **monetary penalty—individual conducting business or undertaking etc** | **monetary penalty—other individual** | **monetary penalty—body corporate** |
| 1 | category 1 | $2,312,000 | $1,156,000 | $11,561,000 |
| 2 | category 2 | $464,000 | $232,000 | $2,318,000 |
| 3 | category 3 | $155,000 | $78,000 | $776,000 |

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| Table 2 Monetary penalties—tiers A to I |
| **column 1** | **column 2** | **column 3** | **column 4** |
| **item** | **monetary penalty tier** | **monetary penalty—individual** | **monetary penalty—body corporate** |
| 1 | tier A | $154,000.00 | $771,000.00 |
| 2 | tier B | $78,000.00 | $388,000.00 |
| 3 | tier C | $31,000.00 | $155,000.00 |
| 4 | tier D | $16,000.00 | $78,000.00 |
| 5 | tier E | $9,300.00 | $47,000.00 |
| 6 | tier F | $7,800.00 | $39,000.00 |
| 7 | tier G | $5,500.00 | $28,000.00 |
| 8 | tier H | $3,100.00 | $16,000.00 |
| 9 | tier I | $1,900.00 | $9,400.00 |

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| Table 3 WHS civil penalty provision—tiers 1 to 4 |
| **column 1** | **column 2** | **column 3** | **column 4** |
| **item** | **monetary penalty tier** | **monetary penalty—individual** | **monetary penalty—body corporate** |
| 1 | tier 1 | $31,000.00 | $155,000.00 |
| 2 | tier 2 | $16,000.00 | $78,000.00 |
| 3 | tier 3 | $7,800.00 | $39,000.00 |
| 4 | tier 4 | $3,100.00 | $16,000.00 |